

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)

v.)

JONATHAN PIZARRO-DIAZ,)
a/k/a "SAMMY",)
FRANCISCO IVAN DIAZ,)
DANIEL JOSUE FIGUEROA, and)
JOHN GUSTAVO OCHOA-DUTON,)

NO. 11-190

(JUDGE Kane)

**FILED
HARRISBURG**

MAY 25 2011

MARY E. D'ANDREA, CLERK

Per ~~DEPUTY CLERK~~

INDICTMENT

COUNT I

THE GRAND JURY CHARGES THAT:

In January, 2011, the exact date being unknown, in Harrisburg, Dauphin County, Pennsylvania, within the Middle District of Pennsylvania, the defendant,

JONATHAN PIZARRO-DIAZ
a/ka/ "SAMMY",

did, knowing and having reasonable cause to believe that the firearm was stolen, possess in and affecting commerce a stolen firearm, that is, a SigSauer .45 caliber handgun, P245, serial number C016147, and a SigSauer P220 semi-automatic handgun, serial number G256762, both having been shipped and transported in interstate and foreign commerce.

All in violation of Title 18, United States Code, Sections 922(j) and 924.

COUNT II

THE GRAND JURY FURTHER CHARGES THAT:

From on or about April, 2010 up to and including April 21, 2011, in Harrisburg, Dauphin County, Pennsylvania, within the Middle District of Pennsylvania, the defendants,

**JONATHAN PIZARRO-DIAZ, a/k/a
"SAMMY",
FRANCISCO IVAN DIAZ,
DANIEL JOSUE FIGUEROA, and
JOHN GUSTAVO OCHOA-DUTON,**

did knowingly manufacture, distribute and possess with the intent to manufacture and distribute at least 100 grams of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1).

COUNT III

THE GRAND JURY FURTHER CHARGES THAT:

In January, 2011, the exact date being unknown, in Harrisburg, Dauphin County, Pennsylvania, within the Middle District of Pennsylvania and elsewhere, the defendant,

**JONATHAN PIZARRO-DIAZ,
a/k/a "SAMMY",**

during and in relation to a drug trafficking crime for which the defendant may be prosecuted in a court of the United States did, in furtherance of such crime, possess a firearm, that is, a SigSauer .45 caliber handgun, P245, serial number C016147, and a SigSauer P220 semi-automatic handgun

All in violation of Title 18, United States Code, Section 924(c)(1)(A); Pinkerton v. United States, 328 U.S. 640 (1946).

COUNT IV

THE GRAND JURY FURTHER CHARGES THAT:

From on or about April, 2010 up to and including April 21, 2011, in Harrisburg, Dauphin County, Pennsylvania, within the Middle District of Pennsylvania, the defendants,

**JONATHAN PIZARRO-DIAZ, a/k/a
"SAMMY",
FRANCISCO IVAN DIAZ,
DANIEL JOSUE FIGUEROA, and
JOHN GUSTAVO OCHOA-DUTON,**

did intentionally and knowingly unlawfully combine, conspire, confederate and agree with each other, and with persons known and unknown to the grand jury, to manufacture, distribute and possess with the intent to manufacture and distribute at least 100 grams of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance.

All in violation of Title 21, United States Code, Section 846.

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PETER J. SMITH
UNITED STATES ATTORNEY